

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

10 UNITED STATES OF AMERICA,) Case # 08-3094-V
11 Plaintiff,)
12 v.) ORDER OF DETENTION AFTER HEARING
13 SHAWN LEWIS EWING) (18 U.S.C. § 3142(i))
14 Defendant.)
15

I.

- 17 A. () On motion of the Government involving an alleged
18 1. () crime of violence;
19 2. () offense with maximum sentence of life imprisonment or death;
20 3. () narcotics or controlled substance offense with maximum sentence of ten or more years
21 (21 U.S.C. §§ 801,951, et seq.,/955a);
22 4. () felony - defendant convicted of two or more prior offenses described above.
23 B. On motion (by the Government) / () (by the Court sua sponte involving)
24 1. () serious risk defendant will flee;
25 2. () serious risk defendant will
26 a. () obstruct or attempt to obstruct justice;
27 b. () threaten, injure, or intimidate a prospective witness or juror or attempt to do so.
28 ///

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1 II.

2 The Court finds no condition or combination of conditions will reasonable assure:

- 3 A. appearance of defendant as required; and/or
4 B. safety of any person or the community;

5 III.

6 The Court has considered:

- 7 A. the nature and circumstances of the offense;
8 B. the weight of evidence against the defendant;
9 C. the history and characteristics of the defendant;
10 D. the nature and seriousness of the danger to any person or to the community.

11 IV.

12 The Court concludes:

- 13 A. Defendant poses a risk to the safety of other persons or the community because:

14 _____
15 _____
16 _____
17 _____
18 _____
19 _____

- 20 B. History and characteristics indicate a serious risk that defendant will flee because:

21 Information is unverified; defendant has outstanding
warrant, two convictions for traffic violations and
failures to pay, so nothing to indicate reassurance
of reappearance
22 _____
23 _____
24 _____
25 _____
26 _____
27 _____

- 28 C. A serious risk exists that defendant will:

- 29 1. obstruct or attempt to obstruct justice;

1 2. () threaten, injure or intimidate a witness/ juror; because:

2 _____
3 _____
4 _____
5 _____
6 _____
7 _____

8 D. () Defendant has not rebutted by sufficient evidence to the contrary the presumption
9 provided in 18 U.S.C. § 3142 (e).

10 IT IS ORDERED that defendant be detained prior to trial.

11 IT IS FURTHER ORDERED that defendant be confined as far as practicable in a corrections
12 facility separate from persons awaiting or serving sentences or person held pending appeal.

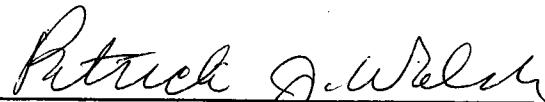
13 IT IS FURTHER ORDERED that defendant be afforded reasonable opportunity for private
14 consultation with his counsel.

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Dated: 12/23/08



U.S. Magistrate Judge / District Judge

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